

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2016-005293-001 DT

08/28/2017

HONORABLE CHRISTOPHER COURY

CLERK OF THE COURT

Y. Zych

Deputy

STATE OF ARIZONA

BENJAMIN CUNNINGHAM

v.

GEORGE ARIS SCARLA (001)

DOB: 08/14/1989

SHANE M MILLER

DISPOSITION CLERK-CSC

RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

9:41 a.m.

Courtroom 803 CCB

State's Attorney: Benjamin Cunningham

Defendant's Attorney: Shane Miller

Defendant: Present

Court Reporter, Mike Babicky, is present.

A record of the proceedings is also made digitally.

Count(s) 2 and 3: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2016-005293-001 DT

08/28/2017

OFFENSE: Count 2 (Amended) Possession of Drug Paraphernalia

Class 6 Undesignated Felony

A.R.S. § 13-3401, 13-3408, 13-3415, 13-3416, 13-3418, 13-901.01(A), 13-901.01(D),
13-901.01(E), 13-901.01(G), 13-901.01(I), 13-805, 13-105, 13-3413, 12-269, 12-116.04, 12-
11609, 12-116.09, 13-610, 13-604, 13-701, 13-702, 13-707, 13-801, 13-802

Date of Offense: 06/09/2016

Non Dangerous - Non Repetitive

OFFENSE: Count 3 Hindering Prosecution, Second Degree

Class 1 Misdemeanor

A.R.S. § 13-105, 13-2510, 13-2511, 13-610, 13-707, 13-802

Date of Offense: 06/09/2016

Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Count 2 and 3 Probation Term: 18 months

To begin 08/28/2017.

IT IS ORDERED that probation in Count 2 shall run concurrent with probation in Count 3.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8: Request and obtain written permission of the APD prior to leaving the State.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 2 - \$65.00 per month.

FINE: Count 2 - Total amount of \$2,196.00, which includes surcharges of 83%, payable \$50.00 per month.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2016-005293-001 DT

08/28/2017

PROBATION ASSESSMENT: Count 2 - \$20.00.

TIME PAYMENT FEE: Count 2 - \$20.00.

VICTIMS' RIGHTS ENFORCEMENT: Count 2 - \$2.00.

PENALTY ASSESSMENT: A.R.S. § 12-116.04 - Count 2 - \$13.00.

Investigative Agency:

Gilbert Police Department

TIME PAYMENT FEE: Count 2 - \$20.00.

WARRANT CHARGE: Count 2 - \$45.00.

All amounts payable through the Clerk of the Superior Court.

Payment to commence on a date to be determined and is due on the same day of each month thereafter until paid in full.

Condition 16: Not consume or possess any substances containing alcohol.

Condition 22: Other: This offense may not be designated a misdemeanor unless and until the defendant successfully completes probation. Defendant shall pay costs associated with DNA testing required pursuant to A.R.S. §13-610. Defendant shall complete substance abuse treatment, including relapse prevention and aftercare. Do not have any contact with co-defendant Jessica Marie Wood.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2016-005293-001 DT

08/28/2017

2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Count 1.

IT IS ORDERED exonerating any bond previously posted in this matter to the party posting same.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

Pursuant to the terms set forth in the parties' Plea Agreement,

IT IS ORDERED that the Defendant pay all costs associated with the DNA testing ordered herein.

9:46 a.m. Matter concludes.

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2016-005293-001 DT

08/28/2017

Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE CHRISTOPHER COURY
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)